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Human Rights Council
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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Angola,* Bangladesh,* Bolivia (Plurinational State of),* Burkina Faso, China, Congo, Cuba, Democratic People's Republic of Korea,* Ecuador,* El Salvador,* Ethiopia, Guatemala,* Honduras,* Iran (Islamic Republic of),* Malaysia,* Mexico, Panama,* Somalia,* South Sudan,* Spain,* Sri Lanka,* State of Palestine,* Sudan,* Venezuela (Bolivarian Republic of): draft resolution

25/... Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Vienna Declaration and Programme of Action and all other relevant human rights instruments,

Recalling also all relevant resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolutions 64/81 of 7 December 2009 and 64/174 of 18 December 2009, and Council resolutions 10/23 of 26 March 2009, 14/9 of 18 June 2010, 17/15 of 17 June 2011, 19/6 of 22 March 2012, 20/11 of 5 July 2012 and 23/10 of 13 June 2013,

Taking note of the declarations within the United Nations system on cultural diversity and international cultural cooperation, in particular the Declaration of the Principles of International Cultural Cooperation and the Universal Declaration on Cultural Diversity, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 4 November 1966 and 2 November 2001 respectively,

* Non-member State of the Human Rights Council.

Taking note also of general comment No. 21 on the right of everyone to take part in cultural life, adopted by the Committee on Economic, Social and Cultural Rights on 13 November 2009,

Noting the increasing number of parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 20 October 2005, and which entered into force on 18 March 2007,

Convinced that international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all should be based on an understanding of the economic, social and cultural specificities of each country, the full realization and recognition of the universality of all human rights and the principles of freedom, justice, equality and non-discrimination,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Determined to treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Affirming the necessity of an international enabling environment for the conservation, development and diffusion of science, while preserving, promoting and giving primacy to public interest,

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;

2. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

3. *Reaffirms* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of the State, regardless of its political, economic and cultural system, to promote and protect all human rights and fundamental freedoms;

4. *Recalls* that, as expressed in the Universal Declaration on Cultural Diversity, no one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope;

5. *Reaffirms* that States have the responsibility to promote and protect cultural rights, and that these rights should be guaranteed for all, without discrimination;

6. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural heritage and cultural background, advancing the application and enjoyment of human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

7. *Also recognizes* that respect for cultural rights is essential for development, peace and the eradication of poverty, building social cohesion and the promotion of mutual respect, tolerance and understanding between individuals and groups, in all their diversity;

8. *Emphasizes* that the universal promotion and protection of human rights, including cultural rights, and respect for cultural diversity should reinforce each other;

9. *Takes note* of the report of the Special Rapporteur in the field of cultural rights,[1] in which she focused on memorialization processes;

10. *Also takes note* of the work conducted by the Special Rapporteur, including the holding, in Geneva, of an experts' meeting on the issue, on 7 and 8 October 2013, and of a public consultation, on 5 July 2013;

11. *Reiterates its call upon* all Governments to cooperate with and assist the Special Rapporteur in the discharge of her mandate, to provide her with all the necessary information requested by her and to give serious consideration to responding favourably to her requests to visit their countries in order to enable her to fulfil her duties effectively;

12. *Requests* the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate by the Special Rapporteur;

13. *Invites* the Special Rapporteur to continue to address, in the course of her work, the issue of the right to enjoy the benefits of scientific progress and its applications;

14. *Decides* to hold, at its twenty-seventh session, a panel discussion on history teaching and memorialization processes, with a view to, inter alia, contributing to the sharing of good practices in this area, and invites the High Commissioner to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, in particular the Special Rapporteur in the field of cultural rights and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, civil society and other stakeholders, with a view to ensuring their participation in the panel discussion;

15. *Requests* the High Commissioner to prepare a summary report on the panel discussion for submission to the Human Rights Council at its twenty-eighth session;

16. *Requests* the Special Rapporteur to present her next report to the Human Rights Council at its twenty-eighth session;

17. *Decides* to continue consideration of this matter at its twenty-eighth session under the same agenda item.

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[1] A/HRC/25/49.